

**Notice of Allowability**

Application No.

09/911,437

Examiner

Tianjie Chen

Applicant(s)

HOCH, PETER

Art Unit

2656

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to remarks filed on 10/21/2005.
2. ☒ The allowed claim(s) is/are 1-8.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☒ Certified copies of the priority documents have been received in Application No. 08/443,518.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.


Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 20051222.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
**TIANJIE CHEN**  
**PRIMARY EXAMINER**

### ***EXAMINER'S AMENDMENT***

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Patricia A. Verlangieri on 12/22/2005.

In claim 2, line 3; "(E)" has been deleted.

In claim 3, line 2; "(E)" has been deleted.

In claim 3, line 3; "(A, B)" has been deleted.

In claim 4, line 2; "(E)" has been deleted.

In claim 4, line 3; "(B)" and "(A)" have been deleted.

In claim 4, line 4; "(A, B)" has been deleted.

In claim 6, line 2; "(E)" has been deleted.

In claim 8, line 2; "(154)" has been deleted.

In claim 8, line 3; "(A, B)" has been deleted.

In claim 8, line 4; "(F1, F2)" has been deleted.

### ***REASONS FOR ALLOWANCE***

2. The following is an examiner's statement of reasons for allowance:

- With regard to independent claim 1, as the closest reference in record, Tsuruta et al (US 5,119,357) discloses a gear rack arrangement, including: two mutually displaceable and resiliently braced gear racks having suspension mountings of

Art Unit: 2656

at least one latch hook disposed on braced gear rack and corresponding slot-shaped openings disposed in the other gear rack, for providing a portion of an anti-detachment safeguard and while enabling the pair of gear racks to be mutually displaceable, the anti-detachment safeguard including an boss; **but fails to show** that the boss is elastic.

- With regard to independent claim 7, as the closest reference in record, Tsuruta et al (US 5,119,357) discloses a gear rack arrangement including: two gear racks, which are mutually displaceable on latch elements and are resiliently braced, one of the latch elements comprises a brace for providing a portion of an anti-detachment safeguard; **but fails to show** that the brace means for providing a portion of an anti-detachment safeguard includes **an elastic boss** as disclosed in specification in this Application, therefore, inherited in this means plus function limitation.
- Applicant asserts that for the disassembly of the gear racks from each other, the elastic boss has to be spread out and, during the disassembly of the gear rack arrangement from a drive gearwheel or pinions the captivity remains initially safeguarded. The elastic boss serves thus to improve both the assembly and disassembly characteristics of the gear rack arrangement (Specification, p. 3, lines 12-18).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2656

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tianjie Chen whose telephone number is 571-272-7570. The examiner can normally be reached on 8:00-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hoa Nguyen can be reached on 571-272-7579. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
**TIANJIE CHEN**  
**PRIMARY EXAMINER**